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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/582,701	08/28/2000	Armand Nachef	T2147-906522	6874

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EXAMINER

ROCHE, TRENTON J

ART UNIT PAPER NUMBER

2193

DATE MAILED: 11/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/582,701	NACHEF ET AL.	
	Examiner	Art Unit	
	Trenton J. Roche	2193	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-14,16-19,21-23,25-27,29-32 and 34-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-14,16-19,21-23,25-27,29-32 and 34-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 August 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. This Office action is responsive to communications filed 21 August 2006.
2. Claims 11-14, 16-19, 21-23, 25-27, 29-32 and 34-37 are currently pending and have been examined.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 11-14, 16-19, 21-23, 25-27, 29-32 and 34-37 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 5,913,063 to McGurrin et al. (hereinafter "McGurrin").

Regarding claim 11:

McGurrin teaches:

- making an independent copy of an entire tree of the class, ("object class FORM FRAME1 512 is 'dragged' and 'dropped' onto FORMS MODULE 510 which causes an object class FORM FRAME2 530 to be created as a subclass of FORM FRAME(1) 512..." in col. 9 lines 26-30)
- the class including an instance of a generic attribute class and an instance of a generic method class, the instance of the generic method class including an instance of a generic

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parameter class (“object class FORM FRAME2 530 automatically and instantly inherits all of the attributes of object class FORM FRAME1...” in col. 9 lines 32-35. The copy of the object class would contain instances of the parent attributes, methods, and parameters, which would represent generic instances to the child.)

- storing the copy of the tree, and changing said first given name in order to assign a second name to the stored copy as claimed, the independent copy including a table specifying at least one parent of the independent copy and all ascendants of the independent copy, if any (“the object manager 404 generates and stores a new data structure for the new subclass. Dad is then generated to indicate the parent/child relationship between the two data structures” in col. 11 lines 3-6)
- wherein the steps are performed during a design stage prior to run-time (Note Figures 5A-5E and the corresponding sections of the disclosure. The above steps occur in a design module.)

substantially as claimed.

Regarding claim 12:

The rejection of claim 11 is incorporated, and further, McGurrin teaches a copy made through a serialization of the tree representing said class or said object as claimed (“The object manager...creates new data structures as new objects are created...the data structure...is stored in memory...” in col. 10 lines 57-62.)

Regarding claim 13:

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The rejection of claim 11 is incorporated, and further, McGurrin teaches inheritance of the class as claimed (“inherits all of the attributes of object class...” in col. 9 lines 34-35)

Regarding claim 14:

The rejection of claim 11 is incorporated, and further, McGurrin teaches instantiation as claimed.

Note the rejection regarding claim 11.

Regarding claim 16:

The rejection of claim 11 is incorporated, and further, McGurrin teaches automatically generating the class by means of a tool having at least one dialog box as claimed. (Note Figures 5A-5E and the corresponding sections of the disclosure.)

Regarding claim 17:

The rejection of claim 16 is incorporated, and further, McGurrin teaches implementing the derivation by a computer designer, and using a command interface of a computer system as claimed (Note Figures 5A-5E and the corresponding sections of the disclosure.)

Regarding claim 18 and 19:

The rejection of claim 12 is incorporated, and further, note the rejection regarding claims 13 and 14, respectively.

Regarding claims 21-23:

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The rejections of claims 12-14 are incorporated, respectively, and further, note the rejection regarding claim 16.

Regarding claims 25-27:

The rejections of claims 21-23 are incorporated, respectively, and further, note the rejection regarding claim 17.

Regarding claims 29-32 and 34-37:

Claims 29-32 and 34-37 do not further disclose or teach any new matter beyond that which is disclosed in claims 11-14, 16 and 17, and are therefore rejected for the reasons set forth in connection with claims 11-14, 16 and 17.

Response to Arguments

5. Applicant's arguments filed 21 August 2006 have been fully considered but they are not persuasive.

Regarding claims 11 and 29:

Applicants state that McGurrin does not teach or reasonably suggest making an independent copy of an entire tree of a class. Applicants note that McGurrin discloses a subclass of an object being created, in which any changes to the attributes of the parent class are automatically propagated to the child class, and are thus not independent copies of the class as required by independent claims 11 and 29. However, even in this instance, the Examiner contends that the child class, while being a subclass of the parent class, is still independent of that class. The user can modify the subclass

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without any subsequent modification being done to the parent class, and further, the child subclass can also have as attributes additional subclasses, as noted in col. 9 lines 58-64. As such, the Examiner contends that the subclass is independent from the object class, as the user can modify or otherwise manipulate the subclass independently from the parent object class.

Applicants further state that McGurrin does not disclose instances of a generic attribute class, a generic method class, and a generic parameter class being included in the copy, however, as noted in the rejection above, the Examiner contends that the copying of the methods, attributes and parameters from the parent class would constitute generic classes for the child subclass.

For these reasons, the rejection is proper and maintained.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trenton J. Roche whose telephone number is (571) 272-3733. The examiner can normally be reached on Monday - Friday, 9:00 am - 5:30 pm.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Trenton J Roche
Examiner
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